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April 14, 2008

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Honorable Theodore H. Katz
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

BY FAX: 212-805-1932

Re: Jesse Rosen v. City of New York, et. al.
07-CV-6018 (VM) (THK)

Dear Judge Katz:

This office represents the plaintiff in the above-referenced action arising out of an incident which occurred on June 21, 2006 resulting in injuries when plaintiff was an inmate at Riker's Island. By this letter an application is hereby made, on consent of all parties, for an extension of the deadlines issued in Your Honor's November 13, 2007 Order.

Your Honor's Order directed that all fact discovery shall be completed by April 25, 2008, all expert reports shall be exchanged by May 23, 2008 and all Expert Discovery shall be completed by June 6, 2008.

The parties to this action have been engaging in discovery, including Rule 26 Disclosures, Interrogatories and Responses thereto. In that regard I note that I have been informed by defense counsel that additional items of discovery will be forwarded shortly in response to requests and interrogatories served by this office.

Recently, defense counsel served and filed a notice of appearance, whereby Craig Hanlon, Esq. was substituted for Jordan Smith, Esq., both of whom are Assistant Corporation Counsel for the City of New York. As Mr. Smith is leaving that office Mr. Hanlon is taking over this file on his behalf and consents to the adjournment requested herein so as to have time to get up to speed on this file as well.

The parties hope to complete exchange of outstanding discovery shortly and proceed to depositions thereafter. Further, this office has requested the assistance of

Page 2.
Hon. Theodore Katz
Rosen v. City 07-CV-6018 (VM) (THK)

defense counsel in obtaining records from Bellevue Hospital, one of the hospitals where plaintiff was treated subsequent to the incident at issue in this matter, as it is a City hospital and as it has not provided a record thus far, indicating it is unable to locate same. As soon as that record is located and forwarded to this office we will arrange for a physical examination of the plaintiff so as to obtain a medical opinion as to his current condition to be used with a view towards negotiating a settlement in this matter as discussed at the Initial Conference before Your Honor.

In light of the above, the parties hereby respectfully request an extension of ninety (90) days of each deadline set in Your Honor's Order of November 13, 2007. Should Your Honor require further information pertaining to this matter in order to grant the within request please advise and we will provide any further information the Court may need.

Thank you for your attention to this matter.

Very truly yours,

PAZER & EPSTEIN, PC


BY: MICHAEL JAFFE

MJ:dr
Enclosure

cc: Craig Hanlon, Esq. (by e-mail – chanlon@law.nyc.gov)

*All fact discovery shall be completed
by July 23, 2008.*

*Plaintiff's expert report shall be produced
by no later than July 23, 2008.*

*Defendant's expert report shall be produced
by August 11, 2008.*

*All discovery shall be completed by
August 29, 2008.*

*So ordered.
Thane H. [Signature]
USMS
4/29/08*